CID 257

From the

INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY **PCT** RECEIVED F B Rice & Co WRITTEN OPINION 605 Darling Street (PCT Rule 66) 10 NOV 2003 **BALMAIN NSW 2041** Date of mailing F. B. RICE & CO. - 7 NOV 2003 (day/month/year) within TWO MONTHS Applicant's or agent's file reference REPLY DUE from the above date of mailing Priority Date (day/month/year) International Filing Date (day/month/year) International Application No. 28 June 2002 27 June 2003 PCT/AU03/00827 International Patent Classification (IPC) or both national classification and IPC Int. Cl. 7 G01R 31/27, 17/02 Applicant COCHLEAR LIMITED et al 1. This written opinion is the first drawn by this International Preliminary Examining Authority. 2. This opinion contains indications relating to the following items:. Basis of the opinion II Priority Non-establishment of opinion with regard to novelty, inventive step and industrial applicability Ш Lack of unity of invention IV Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and ٠V explanations supporting such statement Certain documents cited VI VII Certain defects in the international application VIII Certain observations on the international application The FINAL DATE by which the international preliminary examination report must be established according to Rule 69.2 is: 28 October 2004 The applicant is hereby invited to reply to this opinion See the Reply Due date indicated above. However, the Australian Patent Office will not establish the Report before the earlier of (i) a response being filed, or (ii) one month before the Final Date by which the international preliminary examination report must be established. The Report will take into account any response (including amendments) filed before the Report is established. If no response is filed by 1 month before the Final Date, the international preliminary examination report will be established on the basis of this opinion. Applicants wishing to have the benefit of a further opinion (if needed) before the report is established should ensure that a response is filed at least 3 months before the Final Date by which the international preliminary examination report must be established. By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. How? For the form and the language of the amendments, see Rules 66.8 and 66.9. For an additional opportunity to submit amendments, see Rule 66.4. Also For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4bis. For an informal communication with the examiner, see Rule 66.6. Authorized Officer Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE

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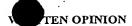
J. LAW

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I.	Basis of the opini	on			
1.	With regard to the elements of the international application:*				
X the international application as originally filed.					
	the description,	pages , as originally filed,			
	•	pages , filed with the demand,			
		pages, received on with the letter of			
	the claims,	pages , as originally filed,			
		pages , as amended under Article 19,			
		pages , filed with the demand,			
		pages, received on with the letter of			
	the drawings,	pages , as originally filed,			
		pages , filed with the demand,			
		pages, received on with the letter of			
	the sequence list	ing part of the description:			
		pages , as originally filed			
		pages , filed with the demand			
	•	pages, received on with the letter of			
2.	which the international These elements were a the language of the language of	guage, all the elements marked above were available or furnished to this Authority in the language in application was filed, unless otherwise indicated under this item. vailable or furnished to this Authority in the following language which is: a translation furnished for the purposes of international search (under Rule 23.1(b)). publication of the international application (under Rule 48.3(b)). the translation furnished for the purposes of international preliminary examination (under Rules 55.2)			
3.	With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the written opinion was drawn on the basis of the sequence listing:				
	contained in the	international application in printed form.			
	filed together w	ith the international application in computer readable form.			
	furnished subsec	quently to this Authority in written form.			
		quently to this Authority in computer readable form.			
	international app	nat the subsequently furnished written sequence listing does not go beyond the disclosure in the plication as filed has been furnished.			
	The statement the been furnished.	nat the information recorded in computer readable form is identical to the written sequence listing has			
4.	The amendment	s have resulted in the cancellation of:			
	the des	cription, pages			
	the cla	ims, Nos.			
	the dra	· · · · · · · · · · · · · · · · · · ·			
5.	This opinion ha go beyond the d	s been established as if (some of) the amendments had not been made, since they have been considered to lisclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).			
	* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed"				

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v.	Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability;
	citations and explanations supporting such statement

1.	Statement	

Novelty (N)	Claims	YES
	Claims 1-24	NO.
Inventive step (IS)	Claims	YES
	Claims 1-24	NO
Industrial applicability (IA)	Claims 1-24	YES
	Claims	NO

2. Citations and explanations

NOVELTY (N) & INVENTIVE STEP (IS) Claims 1-24

US 4192451 A

The citation discloses all the features of the claims. In Claim 1 see:

Connecting to a component [column 2, lines 2-5]

Testing circuit applying test to the component and measuring the response [column 2, lines 5-12]

Memory means for storing response from an operational component [column 2, lines 12-14]

Comparing the test response with the reference response stored [column 2, line 12-14]

Outputting the result of the comparison [column 2, lines 14-21]

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